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DATE: August 14, 2006

TO: EXAMINER: Lee Nguyen **FAX NO.:** 571-273-8300
GAU: 2618

FROM: Russell W. White
Reg. No. 45,691

U.S. APP NO.: 10/652,580

FILING DATE: August 29, 2003

APPLICANT(S): Harlie D. Frost et al.

ATTY DKT NO.: 1030-0002

TITLE: A RADIO CONTROLLER SYSTEM AND METHOD FOR REMOTE DEVICES

NO. OF PAGES (INCL. COVER SHEET): 4

Attached please find:

- Transmittal Form (1 pg(s))
 Response to Restriction Requirement (2 pg(s))

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PAGE 1/4 * RCVD AT 8/14/2006 4:54:55 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-27 * DNIS:2738300 * CSID:512 327 5452 * DURATION (mm:ss):01:24

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

		Application Number	10/652,580
		Filing Date	August 29, 2003
		First Named Inventor	Harlie D. Frost
		Art Unit	2618
		Examiner Name	Lee Nguyen
Total Number of Pages in This Submission	3	Attorney Docket Number	1030-0002

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	LARSON NEWMAN ABEL POLANSKY & WHITE, LLP		
Signature			
Printed name	Russell W. White		
Date	8/14/2006	Reg. No.	45,691

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Elise K. Dougherty	Date	8/14/06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Harlie D. Frost, et al.

Title: A RADIO CONTROLLER SYSTEM AND METHOD FOR REMOTE DEVICES

App. No.: 10/652,580 Filed: August 29, 2003

Examiner: Lee Nguyen Group Art Unit: 2618

Atty. Dkt. No.: 1030-0002

MS AMENDMENT

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

The USPTO has restricted claims 1-42 of this application into Group I (claims 1-26), Group II (claims 27-34) and Group III (claims 35-42).

Applicants elect the claims of Group III (claims 35-42) and provisionally withdraw the non-elected claims of Groups I and II. The restriction is respectfully traversed in order to preserve the issue for subsequent petition since the examination of all of the claims is not believed to create an undue burden on the USPTO and that the subject matter among the groups is not independent and distinct as required by statute. Furthermore, different classifications as recited by the USPTO are not independent adequate grounds for restriction since the USPTO has historically examined applications containing multiple sets of claims.

In summary, Applicants elect the claims of Group III for further prosecution and provisionally withdraw the non-elected claims from consideration. Reconsideration and further prosecution on the merits of at least the claims of Group III are respectfully requested.

Date

Aug. 14, 2006

Respectfully submitted,



Russell W. White, Reg. No. 45,691

Attorney for Applicant(s)

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